

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Criminal No. 05-414 (PAM/JJG)

Plaintiff,

v.

AMENDED RESTRAINING ORDER

David Ross Slominski,

Defendant.

This matter is before the Court on Defendant's Motion to Modify the Restraining Order issued on February 24, 2006, which enjoined Defendant and others from selling or otherwise disposing of Defendant's interest in real and personal property. The Order also authorized the United States to record a notice of lis pendens on any real property owned or co-owned by Defendant and to file any other documents to ensure the real property is preserved for restitution.

Defendant now asks the Court to modify the Restraining Order to allow the sale of real property owned by Defendant, with proceeds to be placed in a trust account. The Court finds this modification will achieve the results both parties desire: The sale of the real property will go forward, and the proceeds will be adequately preserved for restitution. Accordingly, **IT IS HEREBY ORDERED** that:

1. The Restraining Order dated February 24, 2006 is modified to permit the sale and closing of the homestead of David and Judith Slominski, located at 14709 Hillshire Lane in Burnsville, Minnesota, further described as Southcross Heights 3rd Addition,

Lot 4, Block 3, Dakota County, Minnesota;

2. The United States shall file in Dakota County the documents necessary to satisfy its notice of lis pendens;
3. The proceeds of the sale of the homestead shall be placed in the Interest on Lawyers Trust Account at the law firm of Felhaber, Larson, Fenlon & Vogt until further order of the Court. The closing company may first pay all outstanding mortgages, liens, encumbrances, real estate commissions, and expenses of the sale before depositing the remaining proceeds in the Interest on Lawyers Trust Account;
4. The United States shall notify Judith Slominski in advance of any and all actions it takes against the homestead or against any other property belonging to her or in which she has an interest; and
5. The Restraining Order dated February 24, 2006 shall remain in effect in all other respects.

Dated: February 27, 2006

s/ Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge